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EXAMINER

YUN, EUGENE

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 09/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/383,481

Applicant(s)

RIMPELA ET AL.

Examiner

Eugene Yun

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4 and 5. 6) ☐ Other: .

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

2. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on 07/16/2002 have been approved. A proper drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The correction to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 and 6-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Honkasalo et al. (US 5,995,496) in view of Grubeck et al. (US 6,449,484).

Referring to Claim 1, Honkasalo teaches a method for controlling the operation of a mobile station in a packet switched communication network based on a cellular network, which communication network is arranged to transfer information using

downlink or uplink data transmission between a base station and at least one mobile station by means of a radio channel, comprising the steps of:

using a transmission power on a set level on the radio channel to transfer information (see ABSTRACT);

transmitting information that is divided into successive blocks is transmitted from the base station to the mobile station on the radio channel (see col. 7, lines 48-50);

and wherein one of said blocks comprises information on the transmission power level of any block (see col. 8, lines 10-15 and lines 20-24).

Honkasalo does not teach the process of transmitting information divided into successive blocks of the downlink data transmission from the base station to the mobile station. Grubeck teaches the process of transmitting information divided into successive blocks of the downlink data transmission from the base station to the mobile station (see col. 12, lines 40-45 and lines 55-58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Grubeck to said method of Honkasalo in order to better prepare the mobile station to receive information by providing a faster procedure for setting reception parameters.

Referring to Claim 8, Honkasalo teaches a communication system for implementing packet switched data transmission based on a cellular network, which communication system is arranged to transmit information using downlink or uplink data transmission between a base station and at least one mobile station by means of a radio channel, comprising:

means for arranging data transmission on the radio channel to take place with a transmission power on a set level (see ABSTRACT), and

means for arranging the radio channel to transmit information that is divided into successive blocks is transmitted from the base station to the mobile station (see col. 7, lines 48-50), and

means for also arranging the communication system to transmit one of said blocks containing information on the transmission power level of any block, via a radio channel (see col. 8, lines 10-15 and lines 20-24).

Honkasalo does not teach the process of transmitting information divided into successive blocks of the downlink data transmission from the base station to the mobile station. Grubeck teaches the process of transmitting information divided into successive blocks of the downlink data transmission from the base station to the mobile station (see col. 12, lines 40-45 and lines 55-58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Grubeck to said method of Honkasalo in order to better prepare the mobile station to receive information by providing a faster procedure for setting reception parameters.

Referring to Claim 9, Honkasalo teaches a wireless communication device, arranged to function in a communication system, which communication system is arranged to implement packet switched data transmission based on a cellular network, and which communication system is arranged to transmit information using downlink or uplink data transmission between a base station and said wireless communication device by means of a radio channel, comprising:

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means for arranging data transmission on the radio channel to take place with a transmission power on a set level (see ABSTRACT), and

means for arranging the radio channel to transmit information that is divided into successive blocks, from the base station to the wireless communication device (see col. 7, lines 48-50), and

means in the wireless communication device arranged to receive one of said blocks transmitted by the base station on the radio channel, which one block contains information on the transmission power level of any block (see col. 8, lines 10-15 and lines 20-24).

Honkasalo does not teach the process of transmitting information divided into successive blocks of the downlink data transmission from the base station to the mobile station. Grubeck teaches the process of transmitting information divided into successive blocks of the downlink data transmission from the base station to the mobile station (see col. 12, lines 40-45 and lines 55-58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Grubeck to said method of Honkasalo in order to better prepare the mobile station to receive information by providing a faster procedure for setting reception parameters.

Referring to Claim 10, Honkasalo teaches a method for controlling the function of a mobile station in a packet switched communication network based on a cellular network, which communication network is arranged to transfer information using downlink or uplink data transmission between a base station and at least one mobile station by means of a radio channel, comprising the steps of:

using a transmission power on a set level on the radio channel to transfer information (see ABSTRACT),

transmitting information that is divided into successive blocks from the base station to the mobile station on the radio channel (see col. 7, lines 48-50), and

transmitting a block that is transmitted repeatedly and at fixed intervals, with a fixed transmission power known by said mobile station, in order to establish a reference level (see col. 12, lines 31-35).

Honkasalo does not teach the process of transmitting information divided into successive blocks of the downlink data transmission from the base station to the mobile station. Grubeck teaches the process of transmitting information divided into successive blocks of the downlink data transmission from the base station to the mobile station (see col. 12, lines 40-45 and lines 55-58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Grubeck to said method of Honkasalo in order to better prepare the mobile station to receive information by providing a faster procedure for setting reception parameters.

Referring to Claim 11, Honkasalo teaches a communication system for implementing packet switched data transmission based on a cellular network, which communication system is arranged to transmit information using downlink or uplink data transmission between a base station and at least one mobile station by means of a radio channel, comprising the steps of:

means for arranging the information transmission on the radio channel to occur with a transmission power on a set level (see ABSTRACT),

means for arranging said radio channel to transmit information that is divided into successive blocks, from the base station to the mobile station (see col. 7, lines 48-50), and

means for also arranging the communication system to transmit, at a fixed transmission power known by said mobile station, a block that is transmitted repeatedly and at fixed intervals, to establish a reference level and control the mobile station (see col. 12, lines 31-35).

Honkasalo does not teach the process of transmitting information divided into successive blocks of the downlink data transmission from the base station to the mobile station. Grubeck teaches the process of transmitting information divided into successive blocks of the downlink data transmission from the base station to the mobile station (see col. 12, lines 40-45 and lines 55-58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Grubeck to said method of Honkasalo in order to better prepare the mobile station to receive information by providing a faster procedure for setting reception parameters.

Referring to Claim 12, Honkasalo teaches a wireless communication device, arranged to function in a communication system arranged for implementing packet switched data transmission based on a cellular network, and which communication system is arranged to transmit information using downlink or uplink data transmission between a base station and wireless communication device by means of a radio channel, wherein data transmission on the radio channel is arranged to take place with a transmission power on a set level (see ABSTRACT), and which the radio channel is



arranged to transmit information that is divided into successive blocks, from the base station to the wireless communication device (see col. 7, lines 48-50), and wherein the wireless communication device is also arranged to receive a block that is transmitted repeatedly and at fixed intervals from the base station with a fixed transmission power known by said mobile station, to establish a reference level for the wireless communication device and to control its function (see col. 12, lines 31-35).

Honkasalo does not teach the process of transmitting information divided into successive blocks of the downlink data transmission from the base station to the mobile station. Grubeck teaches the process of transmitting information divided into successive blocks of the downlink data transmission from the base station to the mobile station (see col. 12, lines 40-45 and lines 55-58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Grubeck to said method of Honkasalo in order to better prepare the mobile station to receive information by providing a faster procedure for setting reception parameters.

Referring to Claim 2, Honkasalo also teaches said one block comprising information on the transmission power level of another block to be transmitted next (see col. 8, lines 36-40).

Referring to Claim 3, Honkasalo also teaches said one block comprising information on the transmission power level of said one block (see col. 8, lines 1-4).

Referring to Claim 6, Honkasalo also teaches said transmission power level indicated as a difference with respect to a known reference level (see col. 8, lines 25-32).

Referring to Claim 7, Honkasalo also teaches said known reference level as a BCCH channel according to the GPRS system (see col. 6, lines 40-53).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Honkasalo in view of Hamalainen et al. (US 6,359,904).

Honkasalo teaches an RLC block according to the GPRS system used as said one block (see col. 11, lines 18-20). Honkasalo does not teach the information on the transmission power level transmitted by means of an MAC header in the RLC block. Hamalainen teaches the information on the transmission power level transmitted by means of an MAC header in the RLC block (see col. 3, lines 65-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Hamalainen to said communications network of Honkasalo in order to reduce the use of too high power levels in a mobile station.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Honkasalo and Hamalainen as applied to claim 1 above, and further in view of Turina (US 6,031,832).

Hamalainen teaches said transmissions power level indicated by means of bits contained in an octet of said MAC header (see col. 9, lines 23-38). The combination of Honkasalo and Hamalainen does not teach at least some of the bits being arranged for a TFI field in a way known as such. Turina teaches at least some of the bits being arranged for a TFI field in a way known as such (see col. 7, lines 48-53). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Hamalainen to said communications network of Honkasalo in order to reduce the use of too high power levels in a mobile station.

### ***Response to Arguments***

8. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (703) 305-2689. The examiner can normally be reached on 8:30am-5:30pm Alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William G Trost can be reached on (703) 308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Eugene Yun  
Examiner  
Art Unit 2683

EY  
September 16, 2002

  
WILLIAM TROST  
SUPERVISORY PATENT EXAMINER  
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